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FILED IN THE  
U.S. DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

Sep 03, 2024

SEAN F. MCAVOY, CLERK

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

STEPHANIE R M.,

Plaintiff,

v.

COMMISSIONER OF SOCIAL  
SECURITY,

Defendant.

NO: 1:24-CV-3017-RMP

ORDER GRANTING STIPULATED  
MOTION TO REMAND

BEFORE THE COURT is the parties' Stipulated Motion to Remand pursuant to sentence four of 42 U.S.C. § 405(g). ECF No. 21. Plaintiff Stephanie M.<sup>1</sup> is represented by attorney D. James Tree. The Commissioner of Social Security is represented by Special Assistant United States Attorney Ryan Lu.

After consideration, **IT IS HEREBY ORDERED** that the parties' Stipulated Motion for Remand, **ECF No. 21**, is **GRANTED**. Plaintiff's Opening Brief, **ECF No. 10**, is **DENIED AS MOOT**.

<sup>1</sup> The Court uses Plaintiff's first name and last initial to protect her privacy.

Pursuant to the parties' stipulation, the Commissioner's final decision is reversed and remanded under sentence four of 42 U.S.C. §405(g). See ECF No. 21-1 at 1–3. On remand, the Appeals Council will refer the case to an Administrative Law Judge ("ALJ") to:

- Reevaluate step one and whether Plaintiff engaged in substantial gainful activity;
- Reassess the residual functional capacity, including reevaluating the medical opinions;
- Continue the sequential evaluation and, as necessary, obtain vocational expert evidence to determine whether a significant number of jobs exist that Plaintiff could perform; and
- Offer Plaintiff the opportunity for a hearing, take further action to complete the administrative record resolving the above issues, and issue a new decision.

*See id.*

Upon proper presentation, this Court will consider Plaintiff's application for attorney's fees under 28 U.S.C. §§ 1920, 2412(d).

**IT IS SO ORDERED.** The District Court Clerk is directed to enter this Order, provide copies to counsel, enter judgment in favor of Plaintiff, and **close the file.**

**DATED** September 3, 2024.

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*s/ Rosanna Malouf Peterson*  
ROSANNA MALOUF PETERSON  
Senior United States District Judge